

**160.1591 Legislative findings and declarations -- Public charter school project.**

- (1) The General Assembly hereby finds and declares that:
  - (a) Reducing achievement gaps in Kentucky is necessary for the state to realize its workforce and economic development potential;
  - (b) Past and current measures have been insufficient for making progress toward reducing the state's achievement gaps;
  - (c) Additional public school options are necessary to help reduce socioeconomic, racial, and ethnic achievement gaps; and
  - (d) The demand exists for high-quality public charter schools in the Commonwealth.
- (2) The General Assembly hereby establishes a public charter school project to benefit parents, teachers, and community members by creating new, innovative, and more flexible ways of educating all children within the public school system and by advancing a renewed commitment to the mission, goals, and diversity of public education. The purposes of the public charter school initiative are to:
  - (a) Improve student learning outcomes by creating additional high-performing schools with high standards for student performance;
  - (b) Encourage the use of different, high-quality models of teaching, governing, scheduling, or other aspects of schooling that meet a variety of student needs;
  - (c) Close achievement gaps for low-performing groups of public school students;
  - (d) Allow schools freedom and flexibility in exchange for exceptional levels of results-driven accountability;
  - (e) Increase high-quality educational opportunities within the public education system for all students, especially those at risk of academic failure; and
  - (f) Provide students, parents, community members, and local entities with expanded opportunities for involvement in the public education system.
- (3) Beginning in academic year 2017-2018, any authorizer may authorize an unlimited number of public charter schools within the boundary of the local school district.
- (4) A public charter school shall not be a virtual public charter school.
- (5)
  - (a) A public charter school authorized by a local school board or collaborative may enroll students who reside within the boundaries of the district or districts represented by the local school board or collaborative.
  - (b) Enrollment preference for a conversion public charter school shall be given to students who attended the school the previous school year. If the number of students enrolled does not exceed the capacity of the school, secondary preference shall be given to students who reside within the district boundary in which the public charter school is located.
  - (c) Enrollment preference for public charter schools shall be given to students enrolled in the public charter school the previous year and to siblings of students already enrolled in the school. An enrollment preference for returning students shall exclude those students from entering into a lottery, as identified

in paragraph (f) of this subsection.

- (d) Enrollment preference may be given to the children of the public charter school's board of directors and full-time employees of the public charter school provided they constitute no more than ten percent (10%) of the total student population.
  - (e) A public charter school may allow an enrollment preference for students who meet federal eligibility requirements for free or reduced-price meals and students who attend persistently low-achieving noncharter public schools.
  - (f) If capacity is insufficient to enroll all students who wish to attend any specific grade level or program at a public charter school, the school shall select students through a randomized and transparent lottery.
- (6) (a) A public charter school established within the boundaries of a regional achievement zone shall be a regional achievement academy.
- (b) 1. A regional achievement academy may be authorized by a single local school board within the regional achievement zone or by a collaborative of local school boards within the regional achievement zone.
  - 2. A regional achievement academy authorized by a single local school board shall be located within the boundaries of the authorizing local school district.
  - 3. A regional achievement academy authorized by a collaborative of local school boards shall be located within the regional achievement zone.
- (c) A regional achievement academy may only enroll students who reside within the boundaries of its regional achievement zone.
- (d) Enrollment preference in a regional achievement academy may be given to students who reside within the boundaries of the local school district where the regional achievement academy is located.
- (7) Consistent with the requirements of KRS 160.1590 to 160.1599 and 161.141, the state board shall promulgate administrative regulations to guide student application, lottery, and enrollment in public charter schools.

**Effective:** July 15, 2020

**History:** Amended 2020 Ky. Acts ch. 112, sec. 10, effective July 15, 2020. -- Created 2017 Ky. Acts ch. 102, sec. 2, effective June 29, 2017.